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CURRENT MUNICIPAL AFFAIRS.

WILLIAM BENNETT MUNRO.

The city of Boston is considering a proposal to establish an incinerating plant for the disposal of the city's refuse and garbage. During the last ten years the city's wastes have been handled by the New England Sanitary Products Company which has utilized a large portion of the garbage at its reduction plant on Spectacle Island in Boston Harbor. The contract of this Company expires on January 1, 1912, and the Company is not to renew it under existing terms. The city advertised its willingness to make a new contract but received only one tender, that of the Boston Disposal Company, which offered to undertake the work of disposal at a cost to the city of about one quarter of a million dollars per year, the city to do the collecting and to provide a number of receiving stations. This proposal did not seem satisfactory to the city authorities and new bids are being advertised for; but in the meantime the matter of an incineration plant is under consideration. The experience of Boston in this matter discloses what seems to many to be a weakness in the city's new charter. It is stipulated in one of the clauses of this document that all municipal advertising must be confined to the City Record, an official publication issued weekly by the municipality at its expense. This periodical, however, has an extremely limited circulation and city advertisements appearing in it evidently do not reach any considerable constituency. A few months ago the city advertised a lighting contract and only one bidder responded. This was a local concern and it submitted a figure which the city government regarded as being too high.

The National Board of Fire Underwriters has recently issued through its Committee on Fire Prevention a pamphlet on *The Desirability of a High Pressure Fire System in the City of Boston*. The suggestions advanced in this pamphlet have received careful consideration from the Mayor and the City Council and legislation permitting the city to install a high pressure system has been requested. It is probable that a system covering the business district of the city will be installed during the course of the next few years.

Boston-1915 has published in booklet form a general syllabus of its aims and undertakings. The booklet contains a short history of the organization, a statement of its general and specific aims, a list of its accomplishments since the movement began, a discussion of activities in contemplation, and a summary of the work carried on by its various conferences.

Two interesting publications just issued by the National Municipal League are *The Relation of Civil Service Reform to Municipal Reform* by the late Carl Schurz, this being a reprint of an address made to the League in 1895, and *The Man in the Pigeon-Hole*, by John McAuley Palmer. The latter is a humorous discussion of the means by which officers of city government are often kept in control by public service corporations.

A small pamphlet entitled *The Practical Operation of the Initiative and Referendum*, which contains some interesting tables of figures, has been issued by the City Club of Chicago.

The Bureau of Municipal Research of Philadelphia has published as its first report a discussion of *The Weights and Measures Situation in Philadelphia*. The report sets forth the results of an elaborate investigation which officers of the Bureau recently undertook and contains a digest of the existing laws and ordinances relating to this department, together with suggestions in the direction of improving the present system.

Delegates from twenty-two New York cities held a meeting in February at Rochester, New York, and arranged to organize the Commission Government Association of New York State. Professor H. C. Fairchild of the University of Rochester was selected as first president. The professed object of the new association is to secure the establishment in all the municipalities of New York State of "a business form of government on the commission plan."

A Massachusetts Municipal League has recently been organized, the organization meeting held at the Boston City Club in March being attended by the representatives of a dozen or more cities of the Commonwealth. The officers of the League for the present year are as follows: President, J. M. Head, Brookline; First Vice-President,

Professor A. B. Hart, Cambridge; Second Vice-President, L. E. Bennink, Lawrence; Secretary, C. S. Millet, Brockton; Treasurer, A. L. Winship, Melrose.

The University of Oregon has undertaken the creation and maintenance of a Library of Municipal Reform for use not only by its own students, but by city officials and members of the various municipal organizations of the state. The library will contain official data of all sorts, together wth literature bearing upon every branch of municipal reform.

The third Conference on City Planning will be held on May 15 to 17 at the City Hall in Philadelphia. There are to be seven conference sessions devoted to Harbor and Dock Development, Public Buildings, Streets, Building Regulations, Municipal Real Estate Policies, The Finance of City Planning, and The Problem of Securing City Planning Legislation.

Announcement is made of the first American International Municipal Congress and Exposition, to be held at Chicago from September 18 to 30 next. The Congress will be attended by municipal officials and duly appointed delegates from all the principal cities of America and Europe, and invitations will be extended to the members of all national or state organizations which concern themselves with any branch of civic work or municipal administration. Papers will be presented on different phases of municipal government and there will be a number of special conferences. The exposition will comprise municipal exhibits of every sort and will give particular attention to displays of apparatus and materials used in the various city departments. The affair is to be conducted under the official auspices of the city of Chicago assisted by various local organizations such as the Chicago Association of Commerce, the Citizens' Organization, the City Club, the Civic Federation, and the Industrial Club. The Commissioner General of the Municipal Congress is Hon. John MacVicar of Des Moines, and the General Manager of the exposition is Edward H. Allen of Chicago.

Something on a much smaller scale is being attempted during the present spring months by the city of Toledo, Ohio. This is a municipal exhibit showing the organization and work of the various city departments. An interesting feature of the exhibition is the use of moving

pictures as a means of making clear to citizens the mechanism of such branches as the fire and police departments.

Arrangements have been made at Harvard University for the establishment of a Bureau of Research in Municipal Government. The bureau will be maintained by an annual gift given to the University for the purpose by Messrs. Frank Graham Thomson and Clarke Thomson of Philadelphia, and it is expected that it will be in operation at the opening of the next college year.

A volume on *Municipal Chemistry* just issued under the general editorship of Dr. Charles Baskerville contains a series of important papers on topics relating to municipal administration. Among these are chapters on "Sanitation" by the general editor; on "Municipal Water Supply" by Dr. C. T. Darlington; on "Food Adulteration" by Dr. H. W. Wiley; on "Street and Road Construction" by A. S. Cushman; on "Street Sanitation" by W. H. Edwards; on "Disposal of City Sewage" by C.-E. A. Winslow; on "The Smoke Problem" by Dr. P. B. Parsons; and on "Parks, Gardens, and Playgrounds" by N. L. Britton. The volume contains over 500 pages and is profusely illustrated.

Other recent books are *Shade Trees in Towns and Cities* by William Solotaroff (New York; John Wiley & Sons, 1911, 270 pp.); *Corruption in American Politics and Life* by Professor R. C. Brooks (New York: Dodd, Mead & Co., 1910, 304 pp.); *A Digest of Short Ballot Charters* by Professor C. A. Beard (New York: 1911); and the second volume by Dr. Delos F. Wilcox's work on *Municipal Franchises*.

Ten Massachusetts cities have asked the legislature for new charters at its present session. From some of the cities have come alternative plans; but in every case the proposed changes are in the direction of simplifying the present administrative machinery. In addition a general permissive charter has been put forward with the request that the legislature permit its adoption by such cities as may desire.

The Supreme Court of Michigan in a recent decision involving the validity of the Detroit referendum amendment to municipalize the street railways, has held that, under the Home Rule Act of 1909, a city is not permitted to amend its charter piecemeal. This decision

comes as a great disappointment to the progressives of Detroit not only because of its effect upon the pending amendment to facilitate municipal ownership of street railways, but also because it practically nullifies the civil service amendment to the city charter which was passed by a popular referendum last year and under which a commission had already been appointed and organized. A proposal is pending in the present session of the state legislature making possible charter amendment section by section.

A commission in Grand Rapids, Michigan, is at work on a new charter under the Michigan Home Rule Act of 1909. A recent vote on a bond issue to increase the playground space of the city, resulted in favor of the project, and parcels of land are now being purchased for that purpose.

A bill recently introduced in the Ohio Legislature provides that the mayors of cities shall have power to appoint and remove the director of public safety, the director of public service, the auditor, the treasurer, the solicitor, and the heads of the sub-departments of public service and public safety. This considerably extends the mayor's power of appointment and is further significant in that it makes appointive such officers as the auditor and the treasurer.

The city of Columbus maintains a public recreation department with a salaried director. At the same time that this department was established (July, 1910) a commission was created to supervise recreation activities and report plans for the future. With the permission of the Board of Education the commission has maintained four recreation centers in public school buildings and the city has assigned the third floor of the city hall as a civic center. In addition market halls in other sections of the city were utilized for similar purposes. The average weekly attendance at all these centers is between four and five thousand. The activities of the recreation department include, besides one hundred popular free lectures, branch libraries throughout the city, a children's theater, various clubs, regular gymnasium training, etc. In connection with the Plant, Fruit and Flower Guild, the department will conduct during this summer vacation, school gardens in vacant lots. The interest of the city in this work is evidenced by the fact that the council has voted \$6,000 for its support during the next six months, and has recently issued \$20,000 in bonds

for the purchase and equipment of playgrounds. On April 18 an election will be held to determine whether or not a park commission with extensive powers shall be established. Such a commission would probably take over all the work of the department of public recreation.

The city of Columbus has recently enacted a most carefully drawn and up-to-date housing code. It is based upon Veiller's "Model Tenement House Law" with certain improvements which its sponsors believe make it the most adequate and satisfactory law on the subject in any city of the country. Perhaps the most notable feature of the code is that it secures to tenants in dwelling houses the same protection given those in tenements. Only a brief summary of its provisions is possible. Under the heading "light and ventilation" there are provisions regulating the area of the lot which a tenement may occupy—75 percent of a corner lot and 50 percent of an interior lot; provisions regulating height, also clauses providing for an adequate depth of yards and unobstructed openings to the sky, defining the window space, fixing the number of square feet of floor space per room at a minimum of 100, with one room in the apartment at 150 square feet, requiring halls to be sufficiently lighted and ventilated, and providing that alterations in existing buildings shall conform for the most part to the requirements for new buildings. Under sanitation of new houses, the code forbids the use of cellars for living purposes, and permits no tenements to be erected on streets without water and sewer connections. Certain improvements are required in existing houses, as that woodwork enclosing sinks and water closets shall be removed. Under the head of maintenance it is required that public halls which are dark in the daytime shall be artificially lighted; that roofs must be kept in repair; that there shall be a water supply on each floor occupied by a family; that buildings and yards shall be kept clean; that there shall be 400 cubic feet of air per room for each adult and 200 cubic feet for each child; that a tenement house occupied by more than six families must have a janitor or caretaker; and that the Health Department may cause to be vacated any tenement house unfit for occupancy. Concerning fire protection, in the case of new buildings, it is required that all tenement houses of over three stories in height shall be fire-proof and that every tenement, having two or more families above the ground floor, must have two separate flights of stairs. Finally, the code requires that the owner or agent of tenement houses and dwellings or proposed buildings of like nature

must submit the plans and specifications for the proposed houses or alterations of houses for the approval of the Building Department. The names of owners of dwellings and tenements or agents upon whom notice may be served are required to be registered with the authorities.¹

By an amendment to section 3650 of the General Code relating to the power of municipalities to abate nuisances, the present Ohio Legislature has made it possible for cities to deal effectively with the smoke nuisance. The amendment, which was drafted by the Cleveland Chamber of Commerce, confers powers as follows:—"to regulate and prevent the emission of dense smoke; to declare the same a nuisance, and to prescribe and enforce regulations for the prevention thereof; to prevent injury and annoyance from the same; to regulate and prohibit the use of steam whistles and to provide for the regulation of the installation and inspection of steam boilers and boiler plants."

The Cleveland Municipal Association, acting on the request of the National Short Ballot Organization, has initiated a campaign for the short ballot in Ohio. From this time until the meeting of the Ohio constitutional convention, the short ballot idea will be strongly urged upon the people of the state.

The Minneapolis City Council has recently passed an ordinance to compel more adequate street car service. The street car company is required to run sufficient cars between the hours of 5 and 8.30 a. m., 11.30 a. m. and 2 p. m., and 4.30 and 6 p. m., so that no car shall carry a greater number of passengers than its seating capacity and one half as many more. But a car, though filled according to the terms of the ordinance, must stop for additional passengers unless there is another car following within two hundred feet.

The new charter of the city of St. Louis, the result of long deliberation by the Board of Freeholders, was defeated at the special election of January 31, by a vote of 65,046 to 24,891. Its notable provisions may be summarized as follows:

The legislative department consists of a council of fifteen members elected for four years, seven at a time, and a president of the council,

¹ Communicated by Professor W. J. Shepard of Ohio State University.

elected by popular vote, who is, in addition to his legislative duties, a vice-mayor. Among the powers of the Council may be noted that to "acquire, lease, and operate public utilities" and by a two-thirds vote to establish new offices and fix the compensation thereof, the incumbents of which offices are to be appointed by the appropriate heads of departments or the mayor. The Mayor holds office for four years unless removed by the Council for cause. In him is vested the appointment of all city officials, not elected by the people or otherwise provided for. He is given a general supervision over all city departments and may require reports and initiate investigations, and is a member, together with the Comptroller and the President of the Council, of the Budget and Sinking Fund Commission. The Comptroller, an elected officer, is subject to suspension by the Mayor and removal by the Council. He is entitled to a seat in the Council, and the privilege of debate on all matters connected with his department, but may not vote. The President of the Board of Assessors is an elected officer who appoints the district assessors of the city. The Board of Equalization is composed of the President of the Board of Assessors and four real estate men of the city of ten years' experience and appointed by the judge of the circuit court of the eighth judicial district. An unusual city official is the Collector, elected by popular vote, who collects all city, state, and school taxes, special assessments, etc., paying the same over to the Treasurer. Five members compose the Board of Public Improvements, appointed by the Mayor, three of whom must have had technical training and experience and each of whom must receive at least \$8,000. The department heads are appointed by the Board. Another appointed official is the Health Commissioner, with the Board of Health, a useless body, designed to act as a court of appeal from the decisions of the Commissioner. The Civil Service Commission is made up of three members, two appointed by the Mayor, and one by the Board of Public Improvements to serve at its pleasure, a division of appointive responsibility for which there is no good reason. Another provision for which no good reason is apparent is that one of the Mayor's appointees to the Civil Service Commission must be from the political party casting the largest vote at the last preceding national election to which the other appointee of the mayor does not belong. The minimum salary for civil service commissioners, \$1,200, seems insufficient. The further provision that the members of the Commission appointed by the Mayor may be removed by a majority of the members-elect of the City Council has

too much the appearance of a design to make the Commission the tool of the Council. Furthermore, the appointment and removal of the Commission seems unnecessarily divided among the Mayor, Council, and Board of Public Improvements. In granting franchises, the Council may not proceed without hearing the recommendations of the Board of Public Improvements. The Council may, by ordinance, provide for a popular referendum on franchises, or, on a petition of fifteen percent of the voters, submit the franchise to them at the polls. The referendum is applied in the case of bond issues, when the assent of two thirds of the voters at a special election is required. The administration of the sinking fund and the annual presentation of the budget are functions committed to the Budget and Sinking Fund Commission, above mentioned. Together with its report, this commission submits to the Council a bill containing the appropriations for each department and fixing the tax rate. The last provision to be noted is a rather lame provision for the recall. A petition of twenty-five percent of the registered voters may be presented within ten days before the November election, asking for the recall of a particular officer and stating reasons. Upon the reception of this petition, the Board of Elections incorporates in the ballot this question, "shall there be an election for (stating title of office) to succeed (name of incumbent) at the next municipal election?" If the majority of the voters vote affirmatively, the official concerned is considered as removed from the date when his successor shall have been elected at the ensuing spring elections.

The chief reasons assigned for the failure of the charter are the bunglesome method of constituting the Civil Service Commission; the lack of provisions for initiative and referendum, and the ineffective recall; the fact that the Council is not made a participator in the appointing power; and the attempt of the Board of Freeholders to rush the charter to a vote without allowing time for due consideration.

The voters of St. Louis must be commended for refusing to approve this charter. The adoption of the charter would not have been indicative of progress in that city along the lines of better city government. In many of its provisions it clings to antiquated traditions, while the more progressive sections are badly drawn. It is distinctly contrary to recent tendencies toward greater simplicity of governmental machinery and the reduction of the number of elective offices.²

²Communicated by F. W. Dickey, of Western Reserve University.

The system of preferential voting received a fair trial at the first election held under the new charter in the city of Spokane, Washington, on March 7. The charter permits candidates to be placed in nomination by the signatures of any twenty-five qualified voters, and for the five commissionerships there were at the recent elections 92 candidates. The population of the city is slightly more than one hundred thousand, and the number of ballots cast was 22,058. From all accounts the working of the system of preferential voting was accompanied by no unusual difficulty.

The recent election in Seattle, Washington, afforded an interesting illustration of the recall procedure. About a year ago Hiram C. Gill, a typical politician of the old stripe, was elected mayor of the city on a liberal platform. Immediately after the election, he appointed a chief of police whose lax administration of the laws led to a great deal of dissatisfaction among good citizens. The result was an investigation by the city council which disclosed the existence of considerable corruption. The Seattle city charter contained provision for recalling the mayor, but this procedure required that the recall petition should be signed by at least twenty-five percent of the voters of the city. That necessitated the filing of a petition bearing at least 11,000 names. A Public Welfare League was organized, circulated recall petitions, secured the necessary number of signatures, and announced Mr. G. W. Dilling, a prominent Seattle business man, as its candidate to supersede Mayor Gill. A very bitter election campaign ensued; the registration of voters reached the unprecedented figure of 72,000; and at the election on February 7, more than 62,000 votes were cast, of which about one quarter were polled by women. Mayor Gill retained his hold on the four down-town wards, but Mr. Dilling carried all the residential wards of the city except one, and lost that by a few votes. His plurality in the whole city was over 6,300.

Mrs. Russell Sage has given \$10,000 to the firemen of New York City, to be used for permanent technical libraries in the fire stations. Each library will contain about fifty volumes dealing with the subjects covered by the civil service examinations.

A conference of New York mayors will be held at Poughkeepsie, New York, on May 25 and 26, and it is expected that the gathering will be even larger than that held at Schenectady a year ago. The sub-

jects to be considered are government by commission, methods of taxation and assessment, and the administration of public works departments.

Seven new charters have gone into effect as a result of action by the present California legislature. These charters were in each case prepared by boards of fifteen freeholders and adopted by a majority vote of the people of the city before submission to the legislature. Numerous changes, the work of freeholder boards or of city councils, similarly approved by the people, have been made in existing charters. Many of the features incorporated in the new and amended charters are not of general concern. There are, however, observable certain tendencies which are very interesting and one or two original departures in charter fashions.

The first noteworthy tendency is toward the commission form of government. At the head of the list is Oakland with a population of 230,000, the largest city to adopt the commission plan in its entirety. Modesto, Vallejo, Pomona, San Luis Obispo, Monterey, and Santa Cruz, all small places, have taken up the new system largely under the inspiration of the success achieved by Berkeley. Sacramento, the state capital, is on the eve of electing a board of freeholders to formally propose a commission charter already drafted.

The second tendency is toward adoption of the initiative, referendum, and recall. Los Angeles has had these devices since 1903, Berkeley, San Diego, and several smaller places adopted them somewhat later. The chief accession to their ranks this year is San Francisco, which now combines all that is absurd and bad in the organization of the city government with these most progressive methods of securing the popular will.

The third tendency is toward non-partisan nominations and elections. The following cities provide for nomination on petition of twenty-five qualified electors each signing a verified individual certificate; San Luis Obispo, Monterey, Modesto, Santa Cruz, and Vallejo. In Oakland fifty such certificates are required. In San Francisco it is necessary for not less than ten or more than twenty "sponsors" to appear before the registrar and certify to the qualifications of the candidate under oath. In all these cities the appearance of any party designation is prohibited. In San Luis Obispo, and Monterey, one election settles it. In the rest there are two elections. Oakland follows Des Moines in making the first election a simple primary to

reduce the number of candidates to two for each position. The other cities follow Berkeley and Dallas in providing that any candidate receiving a clear majority at the first elections is thereby elected.

The following peculiarities in two of the commission charters are worthy of notice. Modesto provides that where a recall petition is filed an election shall be held at which the question is submitted "Shall—— (naming the officer) be recalled"? If a majority of votes are cast in the affirmative a successor is nominated and elected as in the case of ordinary elections. Below appear the names of the candidates to succeed the person recalled if he is removed from office by a majority of those voting on the recall question. This charter presents two other important features of difference from the typical commission charter. In the first place its authors adopted the Dallas system of designating the commissionerships by number for election purposes only. Their motive in so doing was to avoid a somewhat imaginary danger of "plumping" or "bulletting."

The second peculiarity of the Oakland charter is the character of the safeguards against inconsiderate signing which it throws about petitions for the initiative, referendum, and recall. They are designed to make it impossible for a man to sign such a petition in ignorance of its real purport. Below appears the form of individual certificate which must be signed and sworn to by each petitioner for the recall. The forms for the initiative and referendum are similar.

Further protection against ill considered action is ensured by the somewhat common expedient of printing on the ballot reasons for and against the removal of the incumbent in not more than two hundred words. Before the submission of ordinances by initiative or referendum the popular proponents or opponents on the one side and the council on the other may submit arguments up to two thousand words, which must be sent to the voters with the sample ballots before election.³

³Communicated by Mr. Thomas H. Reed, Secretary to the Governor, Sacramento, Cal.